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सं. 23] नई दिल्ली, सितम्बर 4—सितम्बर 10, 2011, शनिवार/भाद्र 13—भाद्र 19, 1933
No. 23] NEW DELHI, SEPTEMBER 4—SEPTEMBER 10, 2011, SATURDAY/BHADRA 13—BHADRA 19, 1933

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (iii)
PART II—Section 3—Sub-section (iii)

केन्द्रीय अधिकारियों (संघ राज्य क्षेत्र प्रशासनों को छोड़कर) द्वारा जारी किए गए आदेश और अधिसूचनाएं
Orders and Notifications Issued by Central Authorities (other than the Administrations of Union Territories)

भारत निर्वाचन आयोग

नई दिल्ली, 7 सितम्बर, 2011

आ.अ. 149.—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 106 के अनुसरण में, भारत निर्वाचन आयोग वर्ष 2005 की सिविल अपील संख्या 6856 में उच्चतम न्यायालय, नई दिल्ली के तारीख 13-7-2011 के आदेश को एतद्वारा प्रकाशित करता है।

(संलग्न आदेश अंग्रेजी भाग में छपा है)

[सं. 82/सिक्किम-वि.स./ (2004 का 14)/2006]

आदेश से,

अनुज जयपुरियार, सचिव

ELECTION COMMISSION OF INDIA

New Delhi, the 7th September, 2011

O. N. 149.—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the Order of the Supreme Court of India dated 13-7-2011 in Civil Appeal No. 6856 of 2005.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 6856 OF 2005
WITH

Civil Appeal Nos. 6868, 6869, 6870, 6871, 6872, 6887, 6888, 6889, 6890, 6892, 6893, 6894, 6895, 6896, 6910, 7043 and 6891 of 2005

(Appeals under Section 116 A of the Representation of Peoples Act, 1951 from the Judgment and Order dated the 8th September, 2005 of the High Court of Sikkim at Gangtok in Election Petition Nos. 21, 11, 7, 18, 9, 6, 4, 17, 13, 15, 16, 20, 19, 10, 5, 8, 12 and 14 of 2004 respectively.)

Shri Sher Hang Subba etc. etc. Appellants

Versus

Shri Deepak Kumar Gurung etc. Respondents

For full cause title please see Schedule "A" Attached herewith.

13th July, 2011

CORAM:

HON'BLE MR. JUSTICE J.M. PANCHAL
HON'BLE MR. JUSTICE H.L. GOKHALE

For the Appellants : M/s. Arvind Kumar Gupta,
in all the appeals and Rahul Mangla, Advocates.

For the Respondents : Mr. A. Mariarputham, Senior
in all the appeals Advocate. (Ms. Aruna Mathur,
Ms. Megha Gour and
Mr. Yusef Khan, Advocates
with him).

: Mr. K.N. Rai, Advocate

The Appeals above-mentioned being called on for hearing before this Court on the 13th day of July, 2011; UPON perusing the record and hearing counsel for the parties herein, THIS COURT DOTH, inter-alia, PASS the following ORDER :

“xxx the learned senior counsel who appears on behalf of the elected candidates in all the appeals, states at the Bar that the Election Petitions were filed by the learned counsel for the appellant(s) challenging the elections which were held in the year 2004 after which fresh elections were held in the year 2009 and therefore, appeals have become infructuous. The statement made at the Bar by the learned counsel for the elected candidates is not disputed by the learned counsel for the appellant(s). Therefore, there is no manner of doubt that appeals have become infructuous

and deserve to be disposed of accordingly. Accordingly, all the appeals are disposed of as having become infructuous.

Interim relief, if any, granted in each appeal stands vacated.”

And THIS COURT DOTH FURTHER ORDER that the Order of this Court dated 3rd March, 2006 passed in these appeals granting stay be and is hereby vacated.

And THIS COURT DOTH LASTLY ORDER that this ORDER be punctually observed and carried into execution by all concerned;

Witness the Hon’ble Shri Sarosh Homi Kapadia, Chief Justice of India, at the Supreme Court, New Delhi, dated this the 13th day of July, 2011.

Sd/-

(SHELLY SENGUPTA)

Deputy Registrar

[No. 82/SKM-LA/(14 of 2004)/2006]

By Order,

ANUJ JAIPURIAR, Secy.